



DEPARTMENT OF THE ARMY
HEADQUARTERS, 18TH MILITARY POLICE BRIGADE
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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy Memorandum # 15, Fraternalization Policy

1. REFERENCES: AR 600-20, Paragraphs 4-14 and 4-16

2. COMMANDER'S INTENT: To provide a clarification of the Army Command Policy on Fraternalization. The policy is not meant to add to or take away from the policy outlined in AR 600-20, paragraphs 4-14 and 4-16. This policy is designed to maintain good order and discipline so that we can "fight tonight."

3. POLICY: AR 600-20, Paragraph 4-14

a. Officer includes both commissioned officers and warrant officers. This policy will apply to relationships between Army personnel and between Army personnel and personnel of other military services. This policy applies to different gender relationships and to same-gender relationships.

B. THE GENERAL RULE: RELATIONSHIPS BETWEEN SOLDIERS OF DIFFERENT RANK ARE PROHIBITED IF THEY:

(1) COMPROMISE, OR APPEAR TO COMPROMISE, THE INTEGRITY OF SUPERVISORY AUTHORITY OR THE CHAIN OF COMMAND.

(2) CAUSE ACTUAL OR PERCEIVED PARTIALITY OR UNFAIRNESS.

(3) INVOLVE, OR APPEAR TO INVOLVE, THE IMPROPER USE OF RANK OR POSITION FOR PERSONAL GAIN.

(4) ARE, OR ARE PERCEIVED TO BE, EXPLOITATIVE OR COERCIVE IN NATURE.

(5) CREATE AN ACTUAL OR CLEARLY PREDICTABLE ADVERSE IMPACT ON DISCIPLINE, AUTHORITY, MORALE, OR THE ABILITY OF THE COMMAND TO ACCOMPLISH ITS MISSION.

c. Certain types of personal relationships between officers and enlisted personnel are prohibited. **PROHIBITED RELATIONSHIPS INCLUDE-**

(1) **On-going business relationships between officers and enlisted personnel.** This prohibition does not apply to landlord/tenant relationships or to one-time transactions such as the sale of an automobile or house, but does apply to borrowing or lending money, commercial solicitation, and any other type of on-going financial or business relationship.

(2) **DATING, SHARED LIVING ACCOMMODATIONS OTHER THAN THOSE DIRECTED BY OPERATIONAL REQUIREMENTS DURING OPERATION IRAQI FREEDOM, AND INTIMATE OR SEXUAL RELATIONSHIPS BETWEEN OFFICERS AND ENLISTED PERSONNEL.**

(3) GAMBLING BETWEEN OFFICERS AND ENLISTED PERSONNEL.

d. These prohibitions are not intended to preclude normal team building associations which occur in the context of activities such as community organizations, religious activities, unit-based social functions, or athletic teams or events.

e. All military personnel share the responsibility for maintaining professional relationships. However, in any relationship between soldiers of different grade or rank the senior member is generally in the best position to terminate or limit the extent of the relationship. Nevertheless, all members may be held accountable for relationships that violate this policy.

f. Commanders should seek to prevent inappropriate or unprofessional relationships through proper training and leadership by example. Should inappropriate relationships occur, commanders have available a wide range of responses. These responses may include counseling, reprimand, order to cease, reassignment, or adverse action. Potential adverse action may include official reprimand, adverse evaluation report(s), nonjudicial punishment, separation, bar to reenlistment, promotion denial, demotion, and courts martial. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is warranted, appropriate, and fair.

AR 600-20, Paragraph 4-16 states that violations of the above are punitive and may be punished under ART 92, UCMJ (Failure to obey a lawful general regulation).

4. DISCUSSION: This paragraph will clarify the Army policy outlined above.

AR 600-20, Paragraph 4-14

a. This paragraph is clear: It applies to any relationship, not just those that are intimate or sexual in nature. The policy is designed to foster a professional environment where all service-members can develop professionally and on an equal footing and to maintain good order and discipline in the military services.

b. This paragraph outlines some general rules and is the source of some confusion.

(1) and (2) generally apply to soldiers in the same company size unit, or to soldiers who fall under the rating chain of another soldier. Furthermore, Military Police assigned within the brigade must be aware that their duties could cause them to be transferred, or work shift type duties with another company. This could cause them to be in a supervisory role over a person with whom they have a personal relationship. Pay attention to perceptions. If a relationship causes the perception of being improper it may be a prohibited relationship.

(3) and (4) apply without regard to what unit the soldiers belong to. **AT NO TIME WILL ANY SOLDIER USE THEIR RANK AND OR POSITION TO WRONGFULLY INTIMIDATE OR COERCE ANY TYPE OF RELATIONSHIP.** Such action may also be punishable under other articles of the UCMJ or other general regulations.

(5) is the "catch all" provision. This is not unit specific. Military members should always maintain professionalism and not act on terms of military equality with soldiers of different rank.

C. CERTAIN RELATIONSHIPS BETWEEN OFFICERS AND ENLISTED ARE PROHIBITED:

(1) BUSINESS RELATIONSHIPS EXCEPT ONE-TIME TRANSACTIONS SUCH AS BUYING A CAR ARE PROHIBITED. LENDING OR BORROWING MONEY IS PROHIBITED.

(2) INTIMATE OR SEXUAL RELATIONSHIPS BETWEEN OFFICERS AND ENLISTED ARE PROHIBITED. There are some exceptions that apply, but they are rare, such as when two sergeants are married and one goes to OCS.

(3) GAMBLING BETWEEN OFFICERS AND ENLISTED IS PROHIBITED.

d. Normal team-building events are not fraternization. Use common sense.


e. This paragraph places the responsibility for compliance with all members of the Armed Forces but does recognize that the senior ranking soldier has the maturity and duty to terminate or limit the relationship.

F. THIS PARAGRAPH MAKES IT THE COMMANDER'S RESPONSIBILITY TO PREVENT INAPPROPRIATE RELATIONSHIPS. It also suggests that all ranges of options should be considered. For many fraternization issues, counseling, reprimands, and no contact orders are preferable to UCMJ action. Remember that soldiers have been court-martialed for disobeying no contact orders and lying about it.

5. Subordinate commanders should enforce this policy via common sense barracks visitation policies that define resident and non-resident visitors, through regular training sessions, and through sensing sessions.

6. This policy will be posted on every unit's and outlying platoon bulletin boards.

7. "EVER VIGILANT!"


MARK S. SPINDLER
COL, MP
Commanding

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